

Whereas the World Trade Organization will hold a Ministerial Meeting in Cancun, Mexico, in September 2003, at which members of the World Trade Organization are expected to make decisions that will determine the broad outlines of any agreement on agriculture reached in the Doha Development Agenda; and

Whereas the Chairman of the World Trade Organization Agriculture Negotiations Committee has proposed a modalities framework to serve as the basis for discussion and decisions at the Ministerial Meeting in Cancun: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the goals of the United States in the Doha Round of the World Trade Organization agriculture negotiations are to achieve significantly increased market access, to harmonize allowed levels of trade-distorting domestic support for all countries, to immediately eliminate export subsidies, and to achieve a more level playing field in the world market for United States farmers, ranchers, and agricultural producers;

(2) the Chairman of the World Trade Organization Agriculture Negotiations Committee has properly sought to move the negotiations forward, but the proposed modalities framework he has released fails to meet the goals described in paragraph (1) because—

(A) the framework accepts the European formulation of equal percentage reductions from unequal levels of support that locks in place the European Union's current advantage on trade-distorting domestic support levels;

(B) while the framework recognizes that high tariff levels should be reduced more quickly, it nevertheless fails to sufficiently open export markets for United States products by allowing countries to maintain prohibitively high tariffs;

(C) while the framework eliminates trade-disrupting export subsidies, it phases out the elimination of export subsidies over too long a period of time;

(D) the framework contains a potentially unlimited tariff reduction loophole that would disadvantage United States agricultural products exported to developing countries, and would also limit trade between developing countries; and

(E) the framework preserves trade-distorting direct payments under production-limiting programs that are not subject to commitments to reduce domestic support under the Agreement on Agriculture of the World Trade Organization; and

(3) the United States should not agree to the proposed framework unless and until it is substantially improved in order to result in significantly increased market access, the harmonization of allowed levels of trade-distorting domestic support, and a more level playing field for United States farmers, ranchers, and agricultural producers.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1540. Mr. FRIST proposed an amendment to the concurrent resolution H. Con. Res. 259, providing for an adjournment or recess of the two Houses.

SA 1541. Mr. WARNER (for Mr. GREGG (for himself, Mr. REED, Mr. FRIST, Mr. KENNEDY, and Mr. ENZI)) proposed an amendment to the bill S. 888, to reauthorize the Museum and Library Services Act, and for other purposes.

TEXT OF AMENDMENTS

SA 1540. Mr. FRIST proposed an amendment to the concurrent resolution H. Con. Res. 259, providing for an adjournment or recess of the two Houses; as follows:

Strike “when the House adjourns on the legislative day of Friday, July 25, 2003, or Saturday, July 26, 2003, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee,” and insert: “when the House adjourns on the legislative day of Tuesday, July 29, 2003.”

SA 1541. Mr. WARNER (for Mr. GREGG (for himself, Mr. REED, Mr. FRIST, Mr. KENNEDY, and Mr. ENZI)) proposed an amendment to the bill S. 888, to reauthorize the Museum and Library Services Act, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Museum and Library Services Act of 2003”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—GENERAL PROVISIONS

Sec. 101. General definitions.

Sec. 102. Institute of Museum and Library Services.

Sec. 103. Director of the Institute.

Sec. 104. National Museum and Library Services Board.

Sec. 105. Awards; analysis of impact of services.

TITLE II—LIBRARY SERVICES AND TECHNOLOGY

Sec. 201. Purpose.

Sec. 202. Definitions.

Sec. 203. Authorization of appropriations.

Sec. 204. Reservations and allotments.

Sec. 205. State plans.

Sec. 206. Grants to States.

Sec. 207. National leadership grants, contracts, or cooperative agreements.

TITLE III—MUSEUM SERVICES

Sec. 301. Purpose.

Sec. 302. Definitions.

Sec. 303. Museum services activities.

Sec. 304. Repeals.

Sec. 305. Authorization of appropriations.

Sec. 306. Short title.

TITLE IV—NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT

Sec. 401. Amendment to contributions.

Sec. 402. Amendment to membership.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Amendments to Arts and Artifacts Indemnity Act.

Sec. 502. National children's museum.

Sec. 503. Conforming amendment.

Sec. 504. Technical corrections.

Sec. 505. Repeals.

Sec. 506. Effective date.

TITLE I—GENERAL PROVISIONS

SEC. 101. GENERAL DEFINITIONS.

Section 202 of the Museum and Library Services Act (20 U.S.C. 9101) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) DETERMINED TO BE OBSCENE.—The term ‘determined to be obscene’ means determined, in a final judgment of a court of record and of competent jurisdiction in the United States, to be obscene.”;

(2) by striking paragraph (4);

(3) by redesignating paragraph (3) as paragraph (5);

(4) by inserting after paragraph (2) the following:

“(3) FINAL JUDGMENT.—The term ‘final judgment’ means a judgment that is—

“(A) not reviewed by any other court that has authority to review such judgment; or

“(B) not reviewable by any other court.

“(4) INDIAN TRIBE.—The term ‘Indian tribe’ means any tribe, band, nation, or other organized group or community, including any Alaska native village, regional corporation, or village corporation (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), which is recognized by the Secretary of the Interior as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.”; and

(5) by adding at the end the following:

“(6) MUSEUM AND LIBRARY SERVICES BOARD.—The term ‘Museum and Library Services Board’ means the National Museum and Library Services Board established under section 207.

“(7) OBSCENE.—The term ‘obscene’ means, with respect to a project, that—

“(A) the average person, applying contemporary community standards, would find that such project, when taken as a whole, appeals to the prurient interest;

“(B) such project depicts or describes sexual conduct in a patently offensive way; and

“(C) such project, when taken as a whole, lacks serious literary, artistic, political, or scientific value.”.

SEC. 102. INSTITUTE OF MUSEUM AND LIBRARY SERVICES.

Section 203 of the Museum and Library Services Act (20 U.S.C. 9102) is amended—

(1) in subsection (b), by striking the last sentence; and

(2) by adding at the end the following:

“(C) MUSEUM AND LIBRARY SERVICES BOARD.—There shall be a National Museum and Library Services Board within the Institute, as provided under section 207.”.

SEC. 103. DIRECTOR OF THE INSTITUTE.

Section 204 of the Museum and Library Services Act (20 U.S.C. 9103) is amended—

(1) in subsection (e), by adding at the end the following: “Where appropriate, the Director shall ensure that activities under subtitle B are coordinated with activities under section 1251 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6383).”; and

(2) by adding at the end the following:

“(f) REGULATORY AUTHORITY.—The Director may promulgate such rules and regulations as are necessary and appropriate to implement the provisions of this title.

“(g) APPLICATION PROCEDURES.—

“(1) IN GENERAL.—In order to be eligible to receive financial assistance under this title, a person or agency shall submit an application in accordance with procedures established by the Director by regulation.

“(2) REVIEW AND EVALUATION.—The Director shall establish procedures for reviewing and evaluating applications submitted under this title. Actions of the Institute and the Director in the establishment, modification, and revocation of such procedures under this Act are vested in the discretion of the Institute and the Director. In establishing such procedures, the Director shall ensure that the criteria by which applications are evaluated are consistent with the purposes of this title, taking into consideration general standards of decency and respect for the diverse beliefs and values of the American public.

“(3) TREATMENT OF PROJECTS DETERMINED TO BE OBSCENE.—

“(A) IN GENERAL.—The procedures described in paragraph (2) shall include provisions that clearly specify that obscenity is without serious literary, artistic, political, or scientific merit, and is not protected speech.

“(B) PROHIBITION.—No financial assistance may be provided under this title with respect to any project that is determined to be obscene.

“(C) TREATMENT OF APPLICATION DISAPPROVAL.—The disapproval of an application by the Director shall not be construed to mean, and shall not be considered as evidence that, the project for which the applicant requested financial assistance is or is not obscene.”.

SEC. 104. NATIONAL MUSEUM AND LIBRARY SERVICES BOARD.

The Museum and Library Services Act (20 U.S.C. 9101 et seq.) is amended—

(1) by redesignating section 207 as section 208; and

(2) by inserting after section 206 the following:

“SEC. 207. NATIONAL MUSEUM AND LIBRARY SERVICES BOARD.

“(a) ESTABLISHMENT.—There is established within the Institute a board to be known as the ‘National Museum and Library Services Board’.

“(b) MEMBERSHIP.—

“(1) NUMBER AND APPOINTMENT.—The Museum and Library Services Board shall be composed of the following:

“(A) The Director.

“(B) The Deputy Director for the Office of Library Services.

“(C) The Deputy Director for the Office of Museum Services.

“(D) The Chairman of the National Commission on Libraries and Information Science.

“(E) 10 members appointed by the President, by and with the advice and consent of the Senate, from among individuals who are citizens of the United States and who are specially qualified by virtue of their education, training, or experience in the area of library services, or their commitment to libraries.

“(F) 10 members appointed by the President, by and with the advice and consent of the Senate, from among individuals who are citizens of the United States and who are specially qualified by virtue of their education, training, or experience in the area of museum services, or their commitment to museums.

“(2) SPECIAL QUALIFICATIONS.—

“(A) LIBRARY MEMBERS.—Of the members of the Museum and Library Services Board appointed under paragraph (1)(E)—

“(i) 5 shall be professional librarians or information specialists, of whom—

“(I) not less than 1 shall be knowledgeable about electronic information and technical aspects of library and information services and sciences; and

“(II) not less than 1 other shall be knowledgeable about the library and information service needs of underserved communities; and

“(ii) the remainder shall have special competence in, or knowledge of, the needs for library and information services in the United States.

“(B) MUSEUM MEMBERS.—Of the members of the Museum and Library Services Board appointed under paragraph (1)(F)—

“(i) 5 shall be museum professionals who are or have been affiliated with—

“(I) resources that, collectively, are broadly representative of the curatorial, conservation, educational, and cultural resources of the United States; or

“(II) museums that, collectively, are broadly representative of various types of

museums, including museums relating to science, history, technology, art, zoos, botanical gardens, and museums designed for children; and

“(ii) the remainder shall be individuals recognized for their broad knowledge, expertise, or experience in museums or commitment to museums.

“(3) GEOGRAPHIC AND OTHER REPRESENTATION.—Members of the Museum and Library Services Board shall be appointed to reflect persons from various geographic regions of the United States. The Museum and Library Services Board may not include, at any time, more than 3 appointive members from a single State. In making such appointments, the President shall give due regard to equitable representation of women, minorities, and persons with disabilities who are involved with museums and libraries.

“(4) VOTING.—The Director, the Deputy Director of the Office of Library Services, the Deputy Director of the Office of Museum Services, and the Chairman of the National Commission on Library and Information Science shall be nonvoting members of the Museum and Library Services Board.

“(c) TERMS.—

“(1) IN GENERAL.—Except as otherwise provided in this subsection, each member of the Museum and Library Services Board appointed under subparagraph (E) or (F) of subsection (b)(1) shall serve for a term of 5 years.

“(2) INITIAL BOARD APPOINTMENTS.—

“(A) TREATMENT OF MEMBERS SERVING ON EFFECTIVE DATE.—Notwithstanding subsection (b), each individual who is a member of the National Museum Services Board on the date of enactment of the Museum and Library Services Act of 2003, may, at the individual's election, complete the balance of the individual's term as a member of the Museum and Library Services Board.

“(B) FIRST APPOINTMENTS.—Notwithstanding subsection (b), any appointive vacancy in the initial membership of the Museum and Library Services Board existing after the application of subparagraph (A), and any vacancy in such membership subsequently created by reason of the expiration of the term of an individual described in subparagraph (A), shall be filled by the appointment of a member described in subsection (b)(1)(E). When the Museum and Library Services Board consists of an equal number of individuals who are specially qualified in the area of library services and individuals who are specially qualified in the area of museum services, this subparagraph shall cease to be effective and the board shall be appointed in accordance with subsection (b).

“(C) AUTHORITY TO ADJUST TERMS.—The terms of the first members appointed to the Museum and Library Service Board shall be adjusted by the President as necessary to ensure that the terms of not more than 4 members expire in the same year. Such adjustments shall be carried out through designation of the adjusted term at the time of appointment.

“(3) VACANCIES.—Any member appointed to fill a vacancy shall serve for the remainder of the term for which the predecessor of the member was appointed.

“(4) REAPPOINTMENT.—No appointive member of the Museum and Library Services Board who has been a member for more than 7 consecutive years shall be eligible for reappointment.

“(5) SERVICE UNTIL SUCCESSOR TAKES OFFICE.—Notwithstanding any other provision of this subsection, an appointive member of the Museum and Library Services Board shall serve after the expiration of the term of the member until the successor to the member takes office.

“(d) DUTIES AND POWERS.—

“(1) IN GENERAL.—The Museum and Library Services Board shall advise the Director on general policies with respect to the duties, powers, and authority of the Institute relating to museum and library services, including financial assistance awarded under this title.

“(2) NATIONAL AWARDS.—The Museum and Library Services Board shall advise the Director in making awards under section 209.

“(e) CHAIRPERSON.—The Director shall serve as Chairperson of the Museum and Library Services Board.

“(f) MEETINGS.—

“(1) IN GENERAL.—The Museum and Library Services Board shall meet not less than 2 times each year and at the call of the Director.

“(2) VOTE.—All decisions by the Museum and Library Services Board with respect to the exercise of its duties and powers shall be made by a majority vote of the members of the Board who are present and authorized to vote.

“(g) QUORUM.—A majority of the voting members of the Museum and Library Services Board shall constitute a quorum for the conduct of business at official meetings, but a lesser number of members may hold hearings.

“(h) COMPENSATION AND TRAVEL EXPENSES.—

“(1) COMPENSATION.—Each member of the Museum and Library Services Board who is not an officer or employee of the Federal Government may be compensated at a rate to be fixed by the President, but not to exceed the daily equivalent of the maximum annual rate of pay authorized for a position above grade GS-15 of the General Schedule under section 5108 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Museum and Library Services Board. Members of the Museum and Libraries Services Board who are full-time officers or employees of the Federal Government may not receive additional pay, allowances, or benefits by reason of their service on the Museum and Library Services Board.

“(2) TRAVEL EXPENSES.—Each member of the Museum and Library Services Board shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

“(i) COORDINATION.—The Director, with the advice of the Museum and Library Services Board, shall take steps to ensure that the policies and activities of the Institute are coordinated with other activities of the Federal Government.”.

SEC. 105. AWARDS; ANALYSIS OF IMPACT OF SERVICES.

The Museum and Library Services Act (20 U.S.C. 9101 et seq.) is amended by inserting after section 208 (as redesignated by section 104 of this Act) the following:

“SEC. 209. AWARDS.

“The Director, with the advice of the Museum and Library Services Board, may annually award National Awards for Library Service and National Awards for Museum Service to outstanding libraries and outstanding museums, respectively, that have made significant contributions in service to their communities.

“SEC. 210. ANALYSIS OF IMPACT OF MUSEUM AND LIBRARY SERVICES.

“From amounts described in sections 214(c) and 275(b), the Director shall carry out and publish analyses of the impact of museum and library services. Such analyses—

“(1) shall be conducted in ongoing consultation with—

“(A) State library administrative agencies;

“(B) State, regional, and national library and museum organizations; and

“(C) other relevant agencies and organizations;

“(2) shall identify national needs for, and trends of, museum and library services provided with funds made available under subtitles B and C;

“(3) shall report on the impact and effectiveness of programs conducted with funds made available by the Institute in addressing such needs; and

“(4) shall identify, and disseminate information on, the best practices of such programs to the agencies and entities described in paragraph (1).

“SEC. 210A. PROHIBITION ON USE OF FUNDS FOR CONSTRUCTION.

“No funds appropriated to carry out the Museum and Library Services Act, the Library Services and Technology Act, or the Museum Services Act may be used for construction expenses.”.

TITLE II—LIBRARY SERVICES AND TECHNOLOGY

SEC. 201. PURPOSE.

Section 212 of the Library Services and Technology Act (20 U.S.C. 9121) is amended by striking paragraphs (2) through (5) and inserting the following:

“(2) to promote improvement in library services in all types of libraries in order to better serve the people of the United States;

“(3) to facilitate access to resources in all types of libraries for the purpose of cultivating an educated and informed citizenry; and

“(4) to encourage resource sharing among all types of libraries for the purpose of achieving economical and efficient delivery of library services to the public.”.

SEC. 202. DEFINITIONS.

Section 213 of the Library Services and Technology Act (20 U.S.C. 9122) is amended—

(1) by striking paragraph (1); and

(2) by redesignating paragraphs (2), (3), (4), (5), and (6) as paragraphs (1), (2), (3), (4), and (5), respectively.

SEC. 203. AUTHORIZATION OF APPROPRIATIONS.

Section 214 of the Library Services and Technology Act (20 U.S.C. 9123) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—There are authorized to be appropriated to carry out this subtitle \$232,000,000 for fiscal year 2004 and such sums as may be necessary for fiscal years 2005 through 2009.”; and

(2) in subsection (c), by striking “3 percent” and inserting “3.5 percent”.

SEC. 204. RESERVATIONS AND ALLOTMENTS.

Section 221(b)(3) of the Library Services and Technology Act (20 U.S.C. 9131(b)(3)) is amended to read as follows:

“(3) MINIMUM ALLOTMENTS.—

“(A) IN GENERAL.—For purposes of this subsection, the minimum allotment for each State shall be \$340,000, except that the minimum allotment shall be \$40,000 in the case of the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

“(B) RATABLE REDUCTIONS.—Notwithstanding subparagraph (A), if the sum appropriated under the authority of section 214 and not reserved under subsection (a) for any fiscal year is insufficient to fully satisfy the requirement of subparagraph (A), each of the minimum allotments under such subparagraph shall be reduced ratably.

“(C) EXCEPTION.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), if the sum appropriated under the authority of section 214 and not reserved

under subsection (a) for any fiscal year exceeds the aggregate of the allotments for all States under this subsection for fiscal year 2003—

“(I) the minimum allotment for each State otherwise receiving a minimum allotment of \$340,000 under subparagraph (A) shall be increased to \$680,000; and

“(II) the minimum allotment for each State otherwise receiving a minimum allotment of \$40,000 under subparagraph (A) shall be increased to \$60,000.

“(i) INSUFFICIENT FUNDS TO AWARD ALTERNATIVE MINIMUM.—If the sum appropriated under the authority of section 214 and not reserved under subsection (a) for any fiscal year exceeds the aggregate of the allotments for all States under this subsection for fiscal year 2003 yet is insufficient to fully satisfy the requirement of clause (i), such excess amount shall first be allotted among the States described in clause (i)(I) so as to increase equally the minimum allotment for each such State above \$340,000. After the requirement of clause (i)(I) is fully satisfied for any fiscal year, any remainder of such excess amount shall be allotted among the States described in clause (i)(II) so as to increase equally the minimum allotment for each such State above \$40,000.

“(D) SPECIAL RULE.—

“(i) IN GENERAL.—Notwithstanding any other provision of this subsection and using funds allotted for the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau under this subsection, the Director shall award grants to the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau to carry out activities described in this subtitle in accordance with the provisions of this subtitle that the Director determines are not inconsistent with this subparagraph.

“(ii) AWARD BASIS.—The Director shall award grants pursuant to clause (i) on a competitive basis and after taking into consideration available recommendations from the Pacific Region Educational Laboratory in Honolulu, Hawaii.

“(iii) ADMINISTRATIVE COSTS.—The Director may provide not more than 5 percent of the funds made available for grants under this subparagraph to pay the administrative costs of the Pacific Region Educational Laboratory regarding activities assisted under this subparagraph.”.

SEC. 205. STATE PLANS.

Section 224 of the Library Services and Technology Act (20 U.S.C. 9134) is amended—

(1) in subsection (a)(1), by striking “not later than April 1, 1997.” and inserting “once every 5 years, as determined by the Director.”; and

(2) in subsection (f)—

(A) by striking “this Act” each place such term appears and inserting “this subtitle”; and

(B) in paragraph (1)—

(i) by striking “section 213(2)(A) or (B)” and inserting “section 213(1)(A) or (B)”;

(ii) by striking “1934,” and all that follows through “Act, may” and inserting “1934 (47 U.S.C. 254(h)(6)) may”; and

(C) in paragraph (7)—

(i) in the matter preceding subparagraph (A), by striking “section:” and inserting “subsection:”; and

(ii) in subparagraph (D), by striking “given” and inserting “applicable to”.

SEC. 206. GRANTS TO STATES.

Section 231 of the Library Services and Technology Act (20 U.S.C. 9141) is amended—

(1) in subsection (a), by striking paragraphs (1) and (2) and inserting the following:

“(1) expanding services for learning and access to information and educational re-

sources in a variety of formats, in all types of libraries, for individuals of all ages;

“(2) developing library services that provide all users access to information through local, State, regional, national, and international electronic networks;

“(3) providing electronic and other linkages among and between all types of libraries;

“(4) developing public and private partnerships with other agencies and community-based organizations;

“(5) targeting library services to individuals of diverse geographic, cultural, and socioeconomic backgrounds, to individuals with disabilities, and to individuals with limited functional literacy or information skills; and

“(6) targeting library and information services to persons having difficulty using a library and to underserved urban and rural communities, including children (from birth through age 17) from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.”; and

(2) in subsection (b), by striking “between the two purposes described in paragraphs (1) and (2) of such subsection,” and inserting “among such purposes.”.

SEC. 207. NATIONAL LEADERSHIP GRANTS, CONTRACTS, OR COOPERATIVE AGREEMENTS.

Section 262(a)(1) of the Library Services and Technology Act (20 U.S.C. 9162(a)(1)) is amended by striking “education and training” and inserting “education, recruitment, and training”.

TITLE III—MUSEUM SERVICES

SEC. 301. PURPOSE.

Section 271 of the Museum and Library Services Act (20 U.S.C. 9171) is amended to read as follows:

“SEC. 271. PURPOSE.

“It is the purpose of this subtitle—

“(1) to encourage and support museums in carrying out their public service role of connecting the whole of society to the cultural, artistic, historical, natural, and scientific understandings that constitute our heritage;

“(2) to encourage and support museums in carrying out their educational role, as core providers of learning and in conjunction with schools, families, and communities;

“(3) to encourage leadership, innovation, and applications of the most current technologies and practices to enhance museum services;

“(4) to assist, encourage, and support museums in carrying out their stewardship responsibilities to achieve the highest standards in conservation and care of the cultural, historic, natural, and scientific heritage of the United States to benefit future generations;

“(5) to assist, encourage, and support museums in achieving the highest standards of management and service to the public, and to ease the financial burden borne by museums as a result of their increasing use by the public; and

“(6) to support resource sharing and partnerships among museums, libraries, schools, and other community organizations.”.

SEC. 302. DEFINITIONS.

Section 272(1) of the Museum and Library Services Act (20 U.S.C. 9172(1)) is amended by adding at the end the following: “Such term includes aquariums, arboreta, botanical gardens, art museums, children’s museums, general museums, historic houses and sites, history museums, nature centers, natural history and anthropology museums, planetariums, science and technology centers, specialized museums, and zoological parks.”.

SEC. 303. MUSEUM SERVICES ACTIVITIES.

Section 273 of the Museum and Library Services Act (20 U.S.C. 9173) is amended to read as follows:

“SEC. 273. MUSEUM SERVICES ACTIVITIES.

“(a) IN GENERAL.—The Director, subject to the policy advice of the Museum and Library Services Board, may enter into arrangements, including grants, contracts, cooperative agreements, and other forms of assistance, with museums and other entities as the Director considers appropriate, to pay the Federal share of the cost of—

“(1) supporting museums in providing learning and access to collections, information, and educational resources in a variety of formats (including exhibitions, programs, publications, and websites) for individuals of all ages;

“(2) supporting museums in building learning partnerships with the Nation's schools and developing museum resources and programs in support of State and local school curricula;

“(3) supporting museums in assessing, conserving, researching, maintaining, and exhibiting their collections, and in providing educational programs to the public through the use of their collections;

“(4) stimulating greater collaboration among museums, libraries, schools, and other community organizations in order to share resources and strengthen communities;

“(5) encouraging the use of new technologies and broadcast media to enhance access to museum collections, programs, and services;

“(6) supporting museums in providing services to people of diverse geographic, cultural, and socioeconomic backgrounds and to individuals with disabilities;

“(7) supporting museums in developing and carrying out specialized programs for specific segments of the public, such as programs for urban neighborhoods, rural areas, Indian reservations, and State institutions;

“(8) supporting professional development and technical assistance programs to enhance museum operations at all levels, in order to ensure the highest standards in all aspects of museum operations;

“(9) supporting museums in research, program evaluation, and the collection and dissemination of information to museum professionals and the public; and

“(10) encouraging, supporting, and disseminating model programs of museum and library collaboration.

“(b) FEDERAL SHARE.—

“(1) 50 PERCENT.—Except as provided in paragraph (2), the Federal share described in subsection (a) shall be not more than 50 percent.

“(2) GREATER THAN 50 PERCENT.—The Director may use not more than 20 percent of the funds made available under this subtitle for a fiscal year to enter into arrangements under subsection (a) for which the Federal share may be greater than 50 percent.

“(3) OPERATIONAL EXPENSES.—No funds for operational expenses may be provided under this section to any entity that is not a museum.

“(c) REVIEW AND EVALUATION.—

“(1) IN GENERAL.—The Director shall establish procedures for reviewing and evaluating arrangements described in subsection (a) entered into under this subtitle.

“(2) APPLICATIONS FOR TECHNICAL ASSISTANCE.—

“(A) IN GENERAL.—The Director may use not more than 10 percent of the funds appropriated to carry out this subtitle for technical assistance awards.

“(B) INDIVIDUAL MUSEUMS.—Individual museums may receive not more than 3 technical assistance awards under subparagraph (A),

but subsequent awards for technical assistance shall be subject to review outside the Institute.

“(d) SERVICES FOR NATIVE AMERICANS.—From amounts appropriated under section 275, the Director shall reserve 1.75 percent to award grants to, or enter into contracts or cooperative agreements with, Indian tribes and organizations that primarily serve and represent Native Hawaiians (as defined in section 7207 of the Native Hawaiian Education Act (20 U.S.C. 7517)), to enable such tribes and organizations to carry out the activities described in subsection (a).”.

SEC. 304. REPEALS.

Sections 274 and 275 of the Museum and Library Services Act (20 U.S.C. 9174 and 9175) are repealed.

SEC. 305. AUTHORIZATION OF APPROPRIATIONS.

Section 276 of the Museum and Library Services Act (20 U.S.C. 9176) is amended—

(1) in subsection (a), by striking “\$28,700,000 for the fiscal year 1997, and such sums as may be necessary for each of the fiscal years 1998 through 2002.” and inserting “\$38,600,000 for fiscal year 2004 and such sums as may be necessary for fiscal years 2005 through 2009.”; and

(2) by redesignating such section as section 275 of such Act.

SEC. 306. SHORT TITLE.

Subtitle C of the Museum and Library Services Act (20 U.S.C. 9171 et seq.) is amended—

(1) by redesignating sections 271, 272, and 273 as sections 272, 273, and 274, respectively; and

(2) by inserting after the subtitle heading the following:

“SEC. 271. SHORT TITLE.

“This subtitle may be cited as the ‘Museum Services Act.’”.

TITLE IV—NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT**SEC. 401. AMENDMENT TO CONTRIBUTIONS.**

Section 4 of the National Commission on Libraries and Information Science Act (20 U.S.C. 1503) is amended by striking “accept, hold, administer, and utilize gifts, bequests, and devises of property,” and inserting “solicit, accept, hold, administer, invest in the name of the United States, and utilize gifts, bequests, and devises of services or property.”.

SEC. 402. AMENDMENT TO MEMBERSHIP.

Section 6(a) of the National Commission on Libraries and Information Science Act (20 U.S.C. 1505(a)) is amended—

(1) in the second sentence, by striking “and at least one other of whom shall be knowledgeable with respect to the library and information service and science needs of the elderly”; and

(2) by striking the fourth sentence and inserting the following: “A majority of members of the Commission who have taken office and are serving on the Commission shall constitute a quorum for conduct of business at official meetings of the Commission”; and

(3) in the fifth sentence, by striking “five years, except that” and all that follows through the period and inserting “five years, except that—

“(1) a member of the Commission appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed, shall be appointed only for the remainder of such term; and

“(2) any member of the Commission may continue to serve after an expiration of the member's term of office until such member's successor is appointed, has taken office, and is serving on the Commission.”.

TITLE V—MISCELLANEOUS PROVISIONS**SEC. 501. AMENDMENTS TO ARTS AND ARTIFACTS INDEMNITY ACT.**

Section 5 of the Arts and Artifacts Indemnity Act (20 U.S.C. 974) is amended—

(1) in subsection (b), by striking “\$5,000,000,000” and inserting “\$8,000,000,000”; and

(2) in subsection (c), by striking “\$500,000,000” and inserting “\$600,000,000”; and

(3) in subsection (d)—

(A) in paragraph (6), by striking “or” after the semicolon;

(B) by striking paragraph (7) and inserting the following:

“(7) not less than \$400,000,000 but less than \$500,000,000, then coverage under this chapter shall extend only to loss or damage in excess of the first \$400,000 of loss or damage to items covered; or

“(8) \$500,000,000 or more, then coverage under this chapter shall extend only to loss or damage in excess of the first \$500,000 of loss or damage to items covered.”.

SEC. 502. NATIONAL CHILDREN'S MUSEUM.

(a) DESIGNATION.—The Capital Children's Museum located at 800 Third Street, NE, Washington, D.C. (or any successor location), organized under the laws of the District of Columbia, is designated as the “National Children's Museum”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Capital Children's Museum referred to in subsection (a) shall be deemed to be a reference to the National Children's Museum.

SEC. 503. CONFORMING AMENDMENT.

Section 170(e)(6)(B)(i)(III) of the Internal Revenue Code of 1986 (relating to the special rule for contributions of computer technology and equipment for educational purposes) is amended by striking “section 213(2)(A) of the Library Services and Technology Act (20 U.S.C. 9122(2)(A))” and inserting “section 213(1)(A) of the Library Services and Technology Act (20 U.S.C. 9122(1)(A))”.

SEC. 504. TECHNICAL CORRECTIONS.

(a) TITLE HEADING.—The title heading for the Museum and Library Services Act (20 U.S.C. 9101 et seq.) is amended to read as follows:

“TITLE II—MUSEUM AND LIBRARY SERVICES”.

(b) SUBTITLE A HEADING.—The subtitle heading for subtitle A of the Museum and Library Services Act (20 U.S.C. 9101 et seq.) is amended to read as follows:

“Subtitle A—General Provisions”.

(c) SUBTITLE B HEADING.—The subtitle heading for subtitle B of the Museum and Library Services Act (20 U.S.C. 9121 et seq.) is amended to read as follows:

“Subtitle B—Library Services and Technology”.

(d) SUBTITLE C HEADING.—The subtitle heading for subtitle C of the Museum and Library Services Act (20 U.S.C. 9171 et seq.) is amended to read as follows:

“Subtitle C—Museum Services”.

(e) CONTRIBUTIONS.—Section 208 of the Museum and Library Services Act (20 U.S.C. 9106) (as redesignated by section 104 of this Act) is amended by striking “property of services” and inserting “property or services”.

(f) STATE PLAN CONTENTS.—Section 224(b)(5) of the Library Services and Technology Act (20 U.S.C. 9134(b)(5)) is amended by striking “and” at the end.

(g) NATIONAL LEADERSHIP GRANTS, CONTRACTS, OR COOPERATIVE AGREEMENTS.—Section 262(b)(1) of the Library Services and Technology Act (20 U.S.C. 9162(b)(1)) is amended by striking “cooperative agreements, with,” and inserting “cooperative agreements with.”.

SEC. 505. REPEALS.

(a) NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT.—Section 5 of the National Commission on Libraries and Information Science Act (20 U.S.C. 1504) is amended—

(1) by striking subsections (b) and (c); and
(2) by redesignating subsections (d), (e), and (f) as subsections (b), (c), and (d), respectively.

(b) MUSEUM AND LIBRARY SERVICES ACT OF 1996.—Sections 704 through 707 of the Museum and Library Services Act of 1996 (20 U.S.C. 9102 note, 9103 note, and 9105 note) are repealed.

SEC. 506. EFFECTIVE DATE.

The amendments made by this Act shall take effect on the date of enactment of this Act, except that the amendments made by sections 203, 204, and 305 of this Act shall take effect on October 1, 2003.

NOTICES OF HEARINGS/MEETINGS**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that the Committee on Energy and Natural Resources will hold a hearing on September 11, 2003 at 2:30 p.m.

The Committee will consider S. 432, a bill to authorize the Secretary of the Interior and the Secretary of Agriculture to conduct and support research into alternative treatments for timber produced from public lands and lands withdrawn from the public domain for the National Forest System and for other purposes; S. 849, which would provide for a land exchange in the State of Arizona between the Secretary of Agriculture and Yavapai Ranch Limited partnership; and S. 511, which would provide permanent funding for the Payment in Lieu of Taxes program, and for other purposes.

Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364, Washington, D.C. 20510-6150 prior to the hearing date.

For further information, please contact Frank Gladics (202-224-2878) or Meghan Beal (202-224-7556).

AUTHORITY FOR COMMITTEES TO MEET**COMMITTEE ON THE JUDICIARY**

Mr. TALENT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Friday, August 1, 2003, at 9:30 a.m., in the Dirksen Senate Office Building Room 226 on "Examining the Senate and House Versions of the 'Greater Access to Pharmaceuticals Act'."

Witness List

Panel I: The Honorable Timothy J. Muris, Esq., Chairman, Federal Trade Commission, Washington, DC; Mr. Jon

W. Dudas, Deputy Under Secretary for Intellectual Property, Deputy Director of the United States Patent and Trademark Office, Department of Commerce, Arlington, Virginia; Mr. Dan Troy, Esq., Chief Counsel for Food and Drugs, Food and Drug Administration, Rockville, MD; and Mr. Sheldon T. Bradshaw, Deputy Assistant Attorney General, Office of Legal Counsel, Department of Justice, Washington, DC.

Panel II: Mr. Robert Armitage, Vice President and General Counsel, Eli Lilly and Company, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

MUSEUM AND LIBRARY SERVICES ACT OF 2003

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 178, S. 888.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 888) to reauthorize The Museum and Library Services Act, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. GREGG. Mr. President, I am pleased that the Senate will consider and pass today a Substitute Amendment to H.R. 13, the Museum and Library Services Act of 2003. This substitute mirrors my bill, S. 888. Since I first introduced this legislation in April with several of my colleagues, it has been a bipartisan process. Over the past several months we have worked to build support for this language, so that today S. 888 has over 50 Senators as cosponsors. I thank my colleagues for their support. I particularly want to thank Senator REED, Senator FRIST, Senator KENNEDY, and Senator ENZI for their efforts.

This bill recognizes the importance of libraries and museums and provides them with continued federal support through the Institute of Museum and Library Services. In addition, it authorizes a doubling of the minimum state allotment under the Grants to State Library Agencies Program, up to \$680,000. That provision allows for an increase, if appropriated, of 50% for New Hampshire's Federal library allotment under the law.

Recognizing the key role that libraries play in fostering the academic achievement of our nation's schoolchildren, the Museum and Library Services Act of 2003 also requires that the director, where appropriate, ensure that the library activities of the IMLS are coordinated with the school library provisions of the No Child Left Behind Act.

Furthermore, this bill increases the indemnity limits in the Arts and Artifacts Indemnity Act, thereby facilitating the international exchange and display of works of art, books, rare documents and other published materials, artifacts, and films and other

audiovisual media. This will ensure that people throughout the world are exposed to American culture and that our own citizens will have richer educational opportunities available as well.

In addition, S. 888 supports the efforts of President Bush and Mrs. Bush to recruit more librarians by allowing funds to be used for the recruitment of persons in library and information science. Over the next 16 years, America's libraries are projected to lose 58 percent of their professional librarians, and more than one-quarter of all librarians with master's degrees will reach the age of 65 before 2009. This bill will help to alleviate this shortage.

The legislation contains a number of other important provisions. It prohibits projects determined to be obscene from receiving Federal funds, requires the Institute to conduct analyses of the need for museum and library services and the effectiveness of funded projects in meeting those needs, consolidates the library and museum advisory boards into one entity, and prohibits funds appropriated under the Act's authority from being used for library or museum construction.

We have worked hard to reach an agreement on this language with our colleagues in the House, and expect that when the House returns from the August recess, they will pass this bill as well and send it on to the President for his signature. Again, I thank my colleagues for their support of this important legislation.

Mr. KENNEDY. Mr. President, I strongly support the Museum and Library Services Act. Federal support of museums and libraries is appropriate and often essential to maintain the cultural and educational centers that provide valued resources for communities across the country. These institutions encourage learning, understanding, and respect for others in our diverse society, and their benefits are found in every neighborhood in America.

As technology's role in our society becomes more significant than ever, wider access to the internet and other resources is increasingly important. Greater Federal funding for libraries and museums is especially important when local budgets are so hard-pressed.

This bill supports the use of a wide range of media in both museums and libraries, enhancing access to exhibits and programs, and improving learning in a variety of formats. Library and museum advisory boards are consolidated into one body under this bill as a way to improve networks among museums, schools, and other community organizations.

This bill is intended to increase the efficiency of library services and provide much-needed financial assistance. It encourages library services for people of all backgrounds, especially in under-served urban and rural communities, so that access to technology will be much more widely available to all.